

TOWN OF TIBURON

***GUIDE TO POLICIES FOR
TREES LOCATED ON TOWN PROPERTY***



JANUARY 2003

Prepared by the Town of Tiburon as a guide to the Town's policies and procedures involving trees located on Town of Tiburon property, including parks, open spaces, and street rights-of-way

For further information on the Town of Tiburon's laws and procedures regarding trees, please consider consulting the following:

- The View & Sunlight Ordinance (Chapter 15 of the Tiburon Municipal Code)
- The Tree Ordinance (Chapter 15A of the Tiburon Municipal Code)
- The Encroachments Ordinance (Chapter 19 of the Tiburon Municipal Code)
- The Sidewalk Ordinance (Chapter 24 of the Tiburon Municipal Code)

For information on Tree Permits, call the Tiburon Planning Division at (415) 435-7390.

For information on Encroachment Permits, call the Tiburon Public Works Department at (415) 435-7354 or the Town's general telephone line at (415) 435-7373.

For information on the Town's Tree Ordinance or the View & Sunlight Ordinance, please call the Tiburon Planning Division at (415) 435-7390.

For information on the Town's Encroachment Ordinance, Sidewalk Ordinance, or Sidewalk Area, please call the Tiburon Public Works Department at (415) 435-7354 or the Town's general telephone line at (415) 435-7373.

For information on the Town's Commemorative Tree Planting Program, please call the Town's Receptionist at (415) 435-7373.

For viewing the full text of the Town's Tree Ordinance, View and Sunlight Ordinance, Sidewalk Ordinance, or Encroachments Ordinance, please visit the Town of Tiburon Website at www.tiburon.org/government

Town of Tiburon
1505 Tiburon Boulevard
Tiburon, CA 94920
(415) 435-7373

POLICY FOR TREES AND SHRUBS ON TOWN OF TIBURON PROPERTY

Trees and shrubs can be a valuable aesthetic and environmental component of public land. They can slow down erosion and storm runoff, and can help filter out pollutants. The Town of Tiburon adopts the following policies with respect to trees and shrubs on Town property, including but not limited to parks, open spaces, and public street rights-of-way (including medians and islands).

- The Town's overarching policy is that trees and shrubs on Town property are resources that will not generally be removed or substantially altered without good cause.
- The Town will remove any tree or shrub that constitutes a public safety hazard when the hazard cannot be corrected or eliminated by thinning, trimming, or pruning.
- The Town will remove any tree or shrub that is diseased or otherwise afflicted and threatens to pass its affliction to other trees or shrubs.
- The Town will remove any tree or shrub that is damaging sewers or other utilities serving public or private property; or breaking up pavement, foundations or fences; when there is no reasonable lesser remedy such as removal of an offending root or limb. However, if the tree or shrub is located within the "Sidewalk Area"*, repair of damage is the responsibility of the adjacent fronting property owner, in accordance with Chapter 24 of the Tiburon Municipal Code. Issuance of an Encroachment Permit from the Town is required for all work within the Sidewalk Area.
- When pruning or trimming of a tree or shrub is sought by private parties or other public agencies for reasons other than those set forth above, that party may apply for, and the Director of Public Works (or his designee) may issue, an Encroachment Permit provided that the work will not damage the health, or significantly alter the appearance of, the tree. Any Encroachment Permit shall authorize the work to be performed by a Town-approved contractor, and the work shall be performed under the direct supervision of the Director of Public Works (or his designee). Town Staff does not perform ornamental trimming or pruning on behalf of private parties.
- If a person applies for a permit to remove or alter a tree or shrub located on the "Sidewalk Area" of another person's property, that property owner must be consulted during the process, and their reaction to the application will be given great weight by the Town in rendering a decision on the application.
- Any tree work that would significantly alter the appearance of a tree, or damage the health of a tree, requires prior issuance of a Tree Permit from the Community Development Department. The Tree Permit must be obtained prior to issuance of an Encroachment Permit.

**Please refer to the attached diagram for graphic depictions of the "Sidewalk Area".*

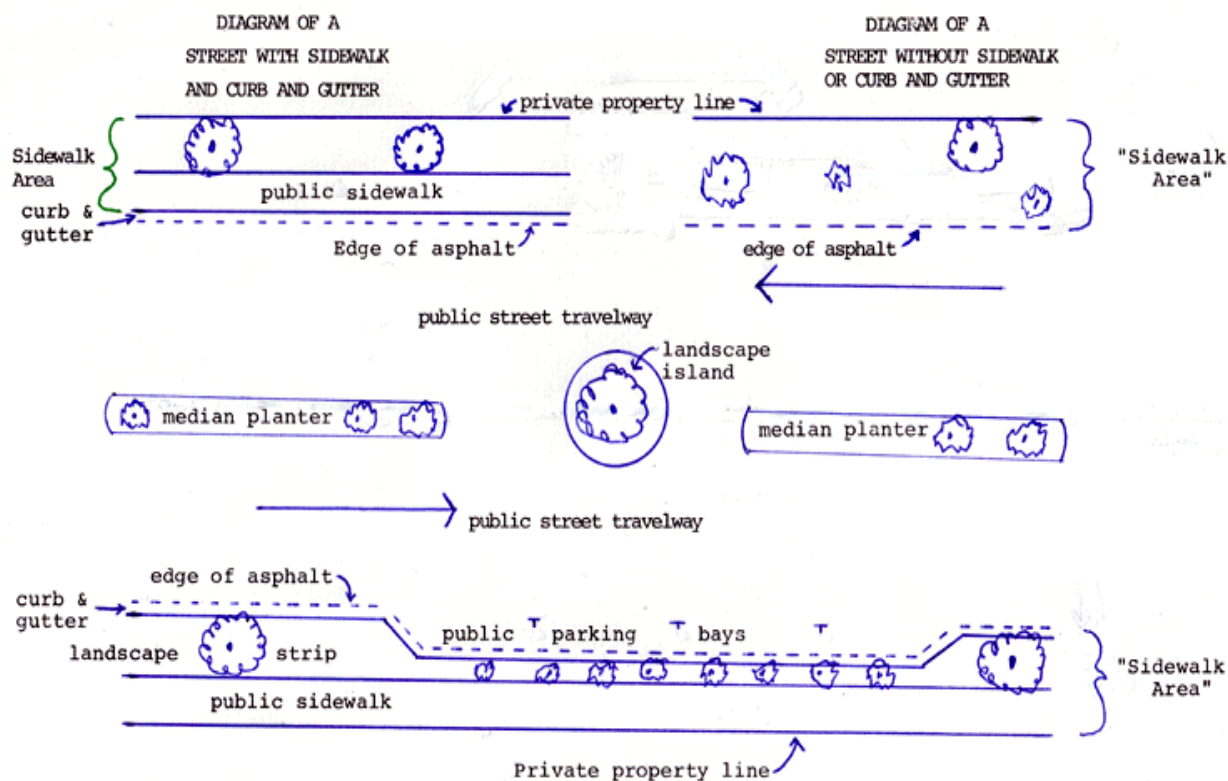
CRITERIA FOR TOWN REVIEW OF APPLICATIONS INVOLVING TREES AND SHRUBS ON TOWN OF TIBURON PROPERTY

Trees and shrubs on property owned or controlled by the Town of Tiburon can be valuable aesthetic and environmental resources. They can also be public or private nuisances in certain locations and/or situations. The Town's general policy is that trees and shrubs on Town property may be valuable resources, and will not generally be removed or substantially altered without good cause.

When reviewing requests from private parties or other public agencies for removal, alteration, or planting of trees or shrubs on Town property, the Town shall consider the following factors prior to making a decision:

- Type and size (native/non-native, undesirable, heritage-size, invasive, etc.)
- Prominence (e.g. visual significance, historical significance, age)
- Qualitative health (e.g. apparently healthy, apparently unhealthy, dying, or dead)
- Appropriateness of location (e.g. active park vs. non-use area, etc)
- Benefit (e.g. aesthetics, shade, screening of unsightly use)
- Detriment (e.g. nuisance factors, view blockage, property damage, maintenance obligations)
- Cost to remove and/or replace, including ongoing maintenance of any replacement vegetation
- Likely effectiveness of replacement vegetation, if replacement is desirable

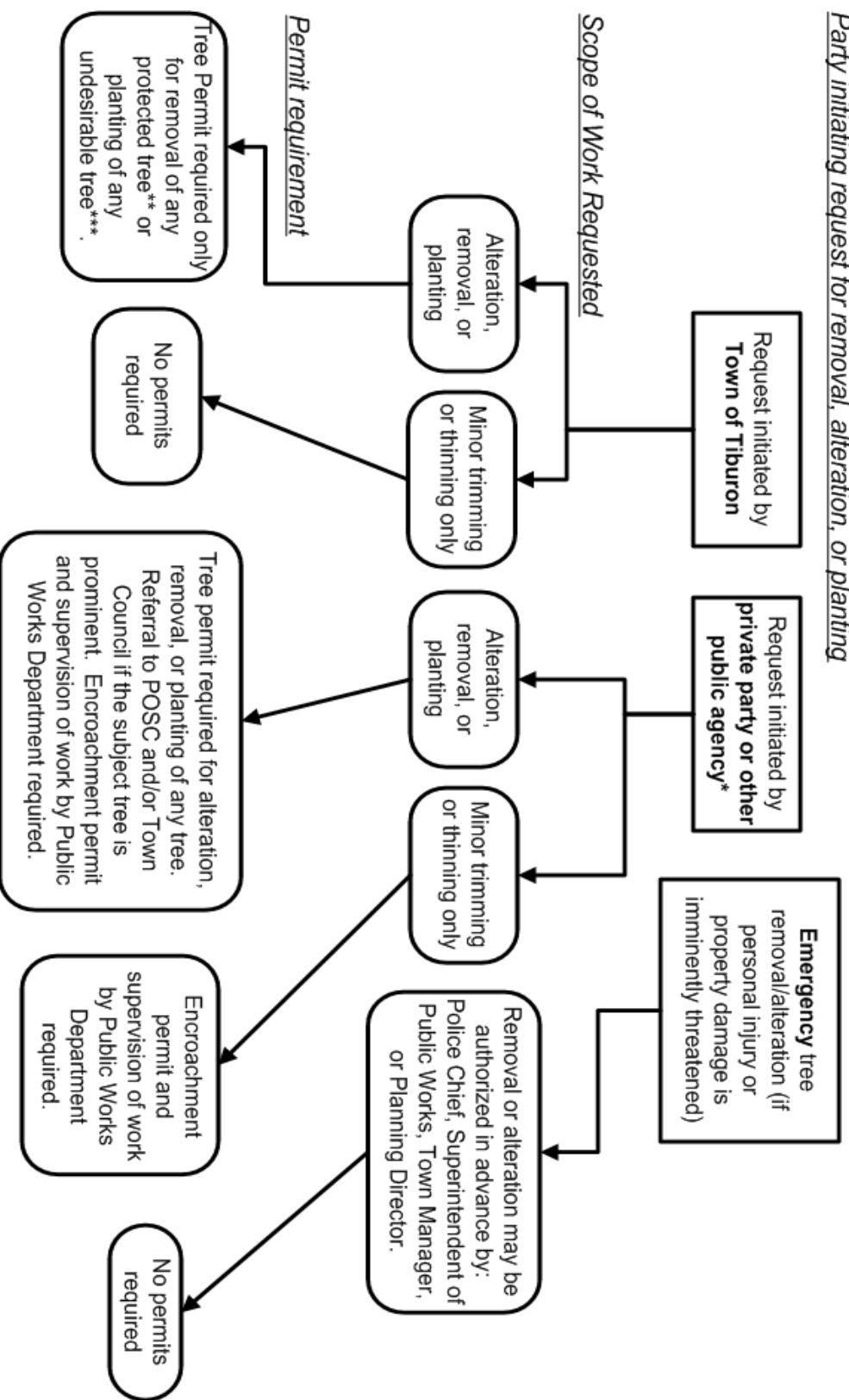
SIDEWALK AREA DIAGRAM



"Sidewalk Area" is defined as the area between a private property line and the street line, which area may include the sidewalk itself, a planting strip, parking strip and any curbing, bulkheads, retaining walls or other works for the protection of any sidewalk, planting strip, or parking strip. For the purposes of this definition, "street line" shall mean the outer physical boundary of the street, where the asphalt meets the concrete curb or gutter. (Tiburon Municipal Code, Section 24-01).

Procedure for Tree Alteration, Removal, or Planting in the Town of Tiburon

Party initiating request for removal, alteration, or planting



*Requests for tree planting under the Town's Commemorative Tree Planting Program are considered to be Town-initiated requests.

****Protected Tree**- Any heritage tree (greater than 60 inches in circumference), any Oak tree, or any dedicated tree.

*****Undesirable Tree**- Any Blue Gum Eucalyptus, Monterey Pine, Monterey Cypress, Coast Redwood or any other tree that grows more than three feet per year in height, and is capable of reaching a height of 35 feet at maturity. Please refer to Chapter 15a of the Tiburon Municipal Code for more details.

Visit the Town of Tiburon Web Site at:
www.tiburon.org

TOWN OF TIBURON
COMMEMORATIVE TREE PLANTING PROGRAM
(Revised 1/2003)

1. You may suggest the type of tree or trees that you prefer.
2. The Public Works Department will then review your suggestion to be sure that the tree species is permitted under the Town's tree ordinance and that it will grow well in an available location to be approved by the Town.
3. A representative from Public Works and a representative from the Heritage & Arts Commission will work with you to find finalize the specific location of the tree, which must be near a water source. The Public Works Department will then plant, water, and maintain the tree.
4. You will be responsible for all the associated costs, such as the purchase price, installation, and on-going maintenance of the tree. You will be issued an invoice by the Town of Tiburon.
5. The Town will then await the personal information on the person you are honoring. This information will be included in the Town's Commemorative Book kept on permanent public display at Tiburon Town Hall.